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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Adrian N. Farr

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07/13/2005

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EXAMINER

JACKSON, BLANE J

ART UNIT

PAPER NUMBER

2685

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/019,140	Applicant(s) FORESTER ET AL	
	Examiner Blane J Jackson	Art Unit 2685	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 21-32 is/are allowed.
- 6) ☒ Claim(s) 11-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 18 February 2005 have been fully considered but they are not persuasive as regards claims 11-20. Camiade teaches a phase modulated reflection amplifier when the apparatus is biased in the transmission state.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 11-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Camiade et al. (U.S. Patent 5,305,469).

As to claims 11, 14, 19 and 20, Camiade teaches a transponder tag and modulator circuit comprising:

A negative impedance amplifier operable for reflecting and amplifying a signal applied to the amplifier (figures 2 and 3, consider the transistor is biased for reflection amplifier, the T/R switch is in transmission, column 5, lines 1-33),

switching means for switching the impedance amplifier between two reflecting states having impedances in the two reflecting states selected such that a phase of a reflected and amplified signal switches by substantially 180 degrees (figure 6, phase

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modulation is selected rather than amplitude or frequency modulation, column 2, lines 54-57, and transistor (40) is switched to insert/ remove an inductive phase shifter in the signal path to effect phase modulation where the amount of phase shift for bi-phase modulation would be selected at substantially 180 degrees for the given inductance at a given frequency, column 6, line 47 to column 7, line 2).

As to claim 12, Camiade teaches the impedances in the two reflecting states are selected such that a reflection gain of the amplifier in the two reflecting states is substantially the same and such that the reflected and amplified signal is a binary phase shift keyed signal (phase modulation: column 4, lines 30-41, where the shifter circuit (39) would not effect signal loss).

As to claim 13, Camiade teaches a modulator circuit according to claim 11 where the impedances in the two reflecting states are selected such that a reflection gain of the amplifier in the two reflecting states is different and wherein the impedances are selected such the reflected and amplified signal is substantially single sideband signal which is a tuned and filtered portion of amplitude modulation (figure 5, reflection amplifier modified for amplitude modulation and load circuits, column 2, lines 54-57 and column 4, lines 12-29).

As to claim 15, Camiade teaches the switching means switches the biasing of the transistor to switch the transistor between the two reflecting states (figure 4, modulator circuits, column 4, lines 3-10).

As to claim 16, Camiade teaches an antenna for receiving and converting radiation to the signal applied to the amplifier and for radiating the reflected and amplified signal (figure 4 or 6, antenna (9), column 5, lines 1-22).

As to claims 17 and 18, Camiade teaches the active circuits include a biased transistor, specifically a FET, figures 3 and 6, column 2, lines 4-12.

Allowable Subject Matter

3. Claims 21-32 are allowed.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Blane J Jackson whose telephone number is (571) 272-7890. The examiner can normally be reached on Monday through Friday, 8:00 AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BJJ


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